

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

VETERANS CAPITAL CORP. and
ASC LEASE INCOME, LLC, a
Florida Profit Corporation,

Plaintiffs,

v.

Case No.: 2:22-cv-463-SPC-NPM

FUTURE FARM
TECHNOLOGIES, INC.,

Defendant.

_____ /

OPINION AND ORDER

Before the Court is Plaintiffs' Motion for Entry of Default Final Judgment ([Doc. 15](#)) and United States Magistrate Judge Nicholas P. Mizell's Report and Recommendation ([Doc. 22](#)). Judge Mizell recommends that Plaintiffs' Motion for Entry of Default Final Judgment be granted in part and that the clerk should be directed to enter judgment for Plaintiff in the amount of \$173,282.63 plus \$31.35 per day until judgment is entered. ([Doc. 22](#)). No party objected, so the matter is ripe for review.

After conducting a careful and complete review of the findings and recommendations, a district judge "may accept, reject, or modify, in whole or in part," the magistrate judge's Report and Recommendation. [28 U.S.C. § 636\(b\)\(1\)\(C\)](#). In the absence of specific objections, there is no requirement that

a district judge review the Report and Recommendation de novo. *See Garvey v. Vaughn*, 993 F.2d 776, 779 n.9 (11th Cir. 1993). Instead, when parties don't object, a district court need only correct plain error as demanded by the interests of justice. *See, e.g., Symonette v. V.A. Leasing Corp.*, 648 F. App'x 787, 790 (11th Cir. 2016); *Thomas v. Arn*, 474 U.S. 140, 150-52 (1985). Plain error exists if (1) "an error occurred"; (2) "the error was plain"; (3) "it affected substantial rights"; and (4) "not correcting the error would seriously affect the fairness of the judicial proceedings." *Farley v. Nationwide Mut. Ins.*, 197 F.3d 1322, 1329 (11th Cir. 1999).

After careful consideration and an independent review of the case, the Court finds no plain error. It accepts and adopts the Report and Recommendation in full.


Accordingly, it is now

ORDERED:

1. United States Magistrate Judge Nicholas P. Mizell's Report and Recommendation ([Doc. 22](#)) is **ACCEPTED and ADOPTED** and the findings incorporated herein.
2. Plaintiffs' Motion for Entry of Default Final Judgment ([Doc. 15](#)) is **GRANTED in part and DENIED in part**.
3. The Clerk is **DIRECTED** to enter judgment in favor of Plaintiffs in the amount of \$174,003.68. This amount reflects \$148,778.41 in

damages, \$16,778.11 in prejudgment interest as of August 17, 2023,
\$6,300 in attorney's fees, and \$2,147.16 in costs and expenses.

DONE and **ORDERED** in Fort Myers, Florida on August 17, 2023.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record